

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 6 1994

Returned to applicant for correction JUN 2 1994

Corrected application filed June 21, 1994 under 60046
Map filed Dec. 16, 1974 under 26964

Apr. 4, 1983 under 46783

The applicant Michael B. Stewart

P.O. Box 40 of Empire
Street and No. or P.O. Box No. City or Town

Nevada 89405 hereby make S. application for permission to change the
State and Zip Code No.

Point of Diversion of a Portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 26964 Certificate 8433
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 4.692 cfs (N.T.E 892 A.F.A.)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation & Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation & Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, T.30 N., R.22 E., M.D.B.&M.,
Describe as being within a 40-acre subdivision of public survey and by course and
or at a point bearing N. 17° 36' 34" E., 2927.2 feet from the S $\frac{1}{4}$ corner of said
distance to a section corner. If on unsurveyed land, it should be stated.
section 13.
6. The existing permitted point of diversion is located within SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, T.30 N., R.22 E.,
If point of diversion is not changed, do not answer.
M.D.B.&M., or at a point from which the S $\frac{1}{4}$ corner of said Section 24 bears
S. 88° 58' 00" W. a distance of 1240.0 feet.
7. Proposed place of use Unchanged
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use 80 acres in the W $\frac{1}{4}$ NE $\frac{1}{4}$ and 160 acres in the SE $\frac{1}{4}$, all within Section
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
24, T.30 N., R.22 E., M.D.B.&M., 17 acres were removed by Application 46783
manner of use of irrigation permit, describe acreage to be removed from irrigation.
leaving 223 acres under Permit 26964.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) 24 inch diameter drilled well, pump, motor
State manner in which water is to be diverted, i.e. diversion structure.
& distribution system
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$65,000.00
13. Estimated time required to construct works 2 year

14. Estimated time required to complete the application of water to beneficial use...3 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

.....Please refer to map filed under Permit 26964 for Existing Point of Diversion
 & Place of Use. This Temporary Application will expire at the time Application
 # 60046 is permitted.....

Compared.....jr/vjw.....jr/vjw.....

s/Robert H. Cantley
 By.....Sierra Resource Engineering, Inc.....
 34 Lakes Boulevard, Suite 101
 Dayton, Nevada 89403

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 26964, Certificate 8433 is issued subject to the terms and conditions imposed in said Permit 26964, Certificate 8433 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....4.692.....cubic feet per second, but not to exceed 892 acre-
 feet annually.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 15th day of September

A.D. 1994

Robert H. Cantley
 State Engineer

EXPIRED
DATE SEP 14 1995

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 26964, Certificate 8433 and 60047-T shall not exceed 960.0 acre-feet annually.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on September 14, 1995 at which time all rights herein granted shall revert to the right being changed by this temporary permit.